

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MANHATTAN DIVISION

-----x
MERCHANT CAPITAL, LLC and
NEW SUNSHINE, LLC,

Plaintiffs,

-against-

MELANIA MARKS SKINCARE, LLC,

Defendant.

Cause No.: 1:13-cv-00873-JMS-DML
-----x

725 Fifth Avenue
New York, New York

September 11, 2013
9:02 a.m.

DEPOSITION of MELANIA TRUMP, the WITNESS in
the above-entitled action, held at the above time
and place, taken before Darby Ginsberg, a
Shorthand Reporter and Notary Public of the State
of New York.



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1 putting my name on it, my brand on it, it was
2 embarrassment. I was on the biggest shows all
3 over the -- airing all over the world, that
4 saying the products in the stores what New
5 Sunshine promised it will be in stores that days
6 before I appear on those TV shows, and they were
7 not; to telling people you could buy the product
8 in Lord & Taylor, and they didn't ship it. It
9 was not there. That's embarrassment. That's
10 unacceptable.

11 **Q. Do you know if product has ever been**
12 **shipped to Lord & Taylor?**

13 A. It was.

14 **Q. Other than the jewelry and timepieces**
15 **line and the skin care line, have you considered**
16 **any other product lines under your brand?**

17 A. I was in talks with, yes. With -- I was
18 approached with to do other lines and other
19 products.

20 **Q. For what other kind of products?**

21 A. Home ware, children's wear, everything
22 for home, from linens to furniture, to the
23 decoration.

24 **Q. And with whom did you have those**
25 **conversations?**

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1 **other contacts?**

2 A. No.

3 **Q. So since the beginning of 2013, as best**
4 **you can recall, the one contact you had was a**
5 **phone call last summer?**

6 A. Yes. It was summer.

7 **Q. Do you know if in 2013 your husband has**
8 **had any contact with the Hilberts?**

9 A. I don't know.

10 **Q. Now, as far as the e-mail account, and**
11 **we have seen a few e-mails, for example, between**
12 **you and Steve Hilbert?**

13 A. Yes.

14 **Q. That's your personal e-mail account?**

15 A. My personal.

16 **Q. All right. And --**

17 A. And business. I use one for everything.

18 **Q. And is that e-mail account through the**
19 **Trump Organization or do you have a separate**
20 **e-mail account that's outside of the Trump**
21 **Organization?**

22 A. I have another e-mail account just for
23 actually computer, like nothing to do with my
24 stuff and what I do. Like business and stuff.
25 So I have another account.

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1 A. I don't recall the names. I forgot the
2 name. I have -- I don't remember the name of the
3 companies.

4 **Q. Did any of those discussions go very far**
5 **or did they sort of stop after initial contact?**

6 A. They didn't go far.

7 **Q. Did you ever talk to Jonathan Gross**
8 **about making sure the license agreement got**
9 **signed regardless of whether Jonathan was**
10 **satisfied with his due diligence of New Sunshine?**

11 A. I needed to be satisfied with everything
12 what is in, and Jonathan was the attorney who put
13 the papers together and with the right language.

14 **Q. When was the last time you had been in**
15 **communication with either Steve or Tomisue**
16 **Hilbert?**

17 A. Over -- over summer, just how are your
18 boys doing? How is your boys doing? That's all.

19 **Q. Any other contact with them since then?**

20 A. No.

21 **Q. Other than -- was that, what, an e-mail**
22 **or a text?**

23 A. Phone call.

24 **Q. Phone call.**

25 **Other than that in 2013, anything, any**

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1 **Q. And the personal e-mails you would have**
2 **with Steve Hilbert, so on, would you have saved**
3 **those or archived those somewhere or do you**
4 **simply delete them if you know?**

5 A. I don't save them. I don't delete it.
6 Just goes by when, you know, when it's full, it
7 goes by. It's just like the way like, you know,
8 here. That's all.

9 **Q. And but, for example, any of the**
10 **e-mails, would you have turned those over to**
11 **anybody, either to your attorneys or are they**
12 **stored anywhere or do they simply delete after a**
13 **period of time?**

14 A. They delete after a period. I didn't
15 save them. I didn't delete them. I didn't think
16 anything to, you know, what's to -- what's to be
17 saved? What's to be deleted? I mean, it's not,
18 you know, thinking about that because everything
19 very clean and normal.

20 **Q. The book that Angie Provo had provided**
21 **at that initial meeting, did you keep that?**

22 A. Yes.

23 **Q. Okay. So you have got that around**
24 **somewhere?**

25 A. I have it.